



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902

April 24, 2019

Mr. Michael Morisy  
MuckRock News  
DEPT MR 53734  
411A Highland Ave.  
Somerville, MA 02144-2516

Dear Mr. Morisy:

This responds to your email dated May 10, 2018, requesting information under the Freedom of Information Act (FOIA) 5 U.S.C. § 552. You requested copies of the Annual Report to Congress under Section 9(a) of the TVA Act for years 2000 through the most recent year submitted. Your request was processed under tracking number #5259.

We are unable to provide the records you request because they are protected from disclosure by FOIA exemptions 5, 6 and 7.

The government confidential commercial privilege under exemption 5 protects information that is likely to cause the government competitive harm. The detailed reports of TVA's power operations are such confidential commercial and financial information.

Records containing personally identifiable compensation information is protected from disclosure under FOIA exemptions 6 and 7. When such information is requested, agencies are required to take steps to determine the requester's asserted public interest in disclosure and to balance that interest with the employee's privacy interest. TVA employees have a significant privacy interest in their compensation information. Since your request only provide a general statement that the information will be made available to the general public, the employees' privacy interest prevails and the information is withheld. Exemption 6 protects personal information, the disclosure of which would result in an unwarranted invasion of personal privacy. Exemption 7(c) which protects information pertaining to law enforcement personnel.

If you have questions about this response, you may contact me at (865) 632-6945. In addition, the Office of Government Information Services (OGIS) and

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TVA provide FOIA mediation services. Enclosed is contact information for those services.

You may appeal this initial determination of your FOIA request by writing to Ms. Janet J. Brewer, Senior Vice President, Chief Communications & Marketing Officer, Communications & Marketing, Tennessee Valley Authority, 400 W. Summit Hill Drive (WT 7C), Knoxville, TN 37902-1401. Any appeal must be received by Ms. Brewer within 90 days of the date of this letter.

Sincerely,

A handwritten signature in black ink that reads "Denise Smith". The signature is fluid and cursive, with "Denise" on the top line and "Smith" on the bottom line.

Denise Smith  
TVA FOIA Officer

Enclosure – TVA & OGIS contact information